

**TOWN OF ELSMERE
PLANNING COMMISSION
MEETING MINUTES
April 19, 2011
6:30 P.M.**

PLEDGE OF ALLEGIANCE:

CALL TO ORDER:

ROLL CALL:

Commissioner Lindell – Present
Commissioner Sheldon – Present
Commissioner Anderson – Absent
Commissioner Swain – Absent
Commissioner Acton – Present
Commissioner Russo - Present
Chairman Backer – Present

PUBLIC COMMENT:

None

APPROVAL OF MINUTES:

None

NEW BUSINESS:

Review of Petition #11-3 Tax Parcel 1900-900-020

Mr. Paul Cimini, the General Manager of Disabitino Supply, stated that they will now be trading as “Delaware Hardscape Supply”. Mr. Chris Disabitino introduced himself as the owner.

Mr. Cimini stated that they are petitioning for a storage shed for materials in order to keep them out of the elements. (i.e.- bags of cement, sand, etc.)

Commissioner Sheldon asked if it is a steel building.

Mr. Cimini stated it will be a 3-sided steel building with one side open for east access for trucks and other vehicles, and will have a steel roof. The dimensions will be 20’ x 40’, will have a 6” slab of concrete for the floor, and no utilities.

Commissioner Sheldon asked if there will be any signs on the building.

Mr. Cimini said there will not be any signs.

Chairman Backer asked about the entrance to the storage shed.

Mr. Cimini stated that the entrance will be from their yard property, that the building will be to the left of the entrance.

Commissioner Sheldon inquired about the specific location of the building.

Cimini stated the 40' side of the building will run parallel with B&O Lane, and that they will be 60' away from the road.

Commissioner Swain entered the meeting.

Commissioner Russo asked Mr. Cimini if they had gotten any complaints from anyone in the town about the proposed building.

Cimini said they have not.

Chairman Backer asked Code Officer Swift if the Code Office has received any complaints regarding the petition.

Officer Swift stated they did not.

Commissioner Lindell asked who the contractor is that will be building the structure.

Cimini stated the company's name is Tam Lapp Construction and that they are out of Pennsylvania.

Chairman Backer entertained a motion.

ACTION: A motion was made by Commissioner Swain to approve Petition 11-3 for the construction of a pole building/storage shed at 471 B&O Lane. Commissioner Sheldon seconded the motion.

VOTE: All in favor 6-0 with 1 Absent Motion Carried

OLD BUSINESS:

Review of the Comprehensive Plan

Commissioner Lindell stated that they will review the Action Plans and determine which ones the Commission can carry out themselves, and which ones will require assistance from other sources.

Town Manager Giles stated that he feels Action Plan No.3 would require assistance from an outside party. He also said that there should be a minimum requirement for the amount of renovation needed to be done in order to qualify for incentives for renovating a home. He went on to say that the Committee should form another Sub-committee made up of homeowners, contractors, State and town officials.

He suggested on Action plan No.5 & No.12 that the town find out what other municipalities' regulations are and adopt them as the Town's regulations.

Mr. Giles stated that Action Plan No.13, which deals with sidewalks and safer street plans, would require input from Mapco and the T2 Center. He also said the Town should enforce existing regulations and make sure any newly built sidewalks meet ADA building regulations. He pointed out that ADA regulations make sidewalks wider than the existing regulations the Town currently has.

Town Manager Giles said that Action plan No.15, which deals with floodplain issues, requires input from the State, Federal, Local, and Professional levels. He also said he feels that there's a risk involved with large amounts of time and money being spent, possibly to no avail. He stated there should be a working group or committee to work specifically on this issue.

Mr. Giles said that Action plans No.22 & No.23 are both tied in together on the issue of redeveloping Kirkwood Hwy. He went on to say that Deldot has been adamant about not doing traffic calming. He said he feels there should be a specialized group of people to work on this issue.

Town Manager Giles stated that Action plans No.25 & No.29 both touch on the issue of historical importance. He stated he feels that the town should study other towns' regulations concerning historic districts, research the internet, and contact the Delaware Historical Preservation Society for input to come up with a model ordinance for historic properties. He stated he wants it to go in front of Council to be deemed historic, not an ordinance that automatically makes things historic.

Mr. Giles stated that Action plan No.28 deals with re-greening, tree planting, tree canopy and feels that it is combined with Action plans No.22 & No.23. He said the town should get input from the forestry department concerning this plan. He went on to say the town is currently working with the forestry department, and in the past, has conducted a tree assessment of the town.

Commissioner Swain inquired about the trees along Kirkwood Highway that are becoming overgrown.

Town Manager Giles said that DelDot has told him that the former Town Manager told them the town would maintain the trees.

Commissioner Swain stated that the town needs to trim the trees before the cable companies come out to “hack away” at them in order to get to the wires. He went on to suggest an “Adopt a Tree” program.

Mr. Giles said that’s an option.

Town Manager Giles moved on to Action plan No.29 that deals with historical preservation. He stated he feels that No.29 should be thrown in with No.22, No.23, No.25 and No.26.

At this time there was talk of Low-Income Housing and possible Tax Abatements for Newly Renovated Houses.

Town Manager Giles stated he feels the town should sell some of it’s parkland to develop housing on it. He said there’s a large amount of park land that isn’t being used.

Commissioner Backer expressed concern about the fact that some of the parkland was paid for with State funds.

Mr. Giles stated that the town would have to reimburse the State for the parkland, but feels that it would be well worth it. He went on to say that the only problem he feels would be the politician that doesn’t want it sold.

Mr. Giles reminded the Commission that the Zoning Code must be reviewed and in compliance with the Comprehensive Plan by December 4th.

Commissioner Russo asked who physically writes the code.

Mr. Giles stated that he himself writes most of it.

Commissioner Russo stated that in the Action Plan Packet it tells you what it wants the code to do and that all that needs to be done is to write it. He went on to say that this is the case for at least half of the Action Plan.

Town Manager Giles said it is fairly easy to do just that, but the problem is the Town of Elsmere may not necessarily want what the Commission wants. He then went on to say that there are professionals that could come in and write the code, but that comes at a price.

There was then talk about development on Kirkwood Highway. Commissioner Sheldon suggested a walkway across Kirkwood Highway with an arch on it.

Commissioner Swain states there's not enough room on the sides of the road. He later asked about the brackets that held the 100th Anniversary signs that are still in place. He wanted to know if we could put something up there now.

Mr. Giles stated we are not allowed to display anything on them now due to the town's franchise agreement with DelMarva, which was signed in 1948 and hasn't changed since.

Mr. Giles stated he could make some recommended changes for the action plan issues that recommend reviewing the code.

Commissioner Sheldon agreed with that idea and suggested the commission go over them on the next meeting.

Commissioner Russo asked how to get help from the other sources.

Mr. Giles stated he emailed them asking for suggestions on their comprehensive plan but got no responses. He went on to say he thinks they're telling him is that the Planning Commission needs to pay attention to what's going on with the County Planning Department. He states that it's difficult to do so with such a small committee.

Commissioner Russo asked who, if anyone, do they need to consult with.

Mr. Giles said they need to consult with DelDot and Will Mapco concerning the sidewalks ,and the University of Delaware.

Commissioner Lindell asked about the survey that went out with the "Cleanup Day" flier to all the residents.

Town Manager Giles stated that there were no responses, but has been informed by the programmer for the website that we can put a survey on the website. He went on to say that the staff at Town Hall will generate some questions for the survey and then let the commission go over them to see if they would like to add some questions or take some out.

Mr. Giles then asked Chairman Backer to review Ordinance 531 that makes amendments to chapter 225 of the Zoning Code. He stated it is up for the 3rd and final reading at the Council Meeting on May 12. He went on to say that we are seeking approval from the Town Council to move from the 2000 International Code to the 2009 International Code. He then said we will seek approval to adopt the “existing structure” code as well.

Chairman Backer asked if all the codes coincided with each other now. (Building, Plumbing, Electrical, etc.)

Code Officer Swift said yes, with the exception of the Electrical being 2007.

ITEMS SUBMITTED BY CHAIRMAN AND BOARD MEMBERS:

None

PUBLIC COMMENT:

None

ADJOURNMENT:

ACTION: A motion was made by Commissioner Swain to adjourn the meeting. The motion was seconded by Commissioner Sheldon.

VOTE: All in favor 6-0 with 1 Absent Motion Carried

At this time the meeting was adjourned.

These minutes summarize the agenda items and other issues discussed at the April 19, 2011 Planning Commission Meeting. Votes are recorded accurately. The audio tape(s) of this meeting will be available at Town Hall for a period of two years from the date these minutes are approved. The audio tape(s) may be reviewed at Town Hall by appointment and in accordance with the Freedom of Information Act.

CHARLES LINDELL, CHAIRMAN

LEON BACKER, SECRETARY